

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Original) A plasma etching apparatus comprising:
  - a lower electrode supporting a semiconductor substrate;
  - a focus ring disposed along a circumference of said semiconductor substrate;
  - a sensor for measuring a position of an upper surface of said focus ring;
  - a drive mechanism for driving said focus ring vertically; and
  - a controller for adjusting the position of the upper surface of said focus ring by driving said drive mechanism on the basis of a result of measurement by said sensor.
2. (Original) The plasma etching apparatus according to claim 1,
  - wherein said sensor can measure the position of the upper surface of said focus ring at a plurality of points of said focus ring, and
  - said drive mechanism can change the position of the upper surface of said focus ring at a plurality of points of said focus ring.
3. (Withdrawn) A plasma etching method comprising:
  - a measurement step of measuring an upper surface of a focus ring;
  - an adjustment step of adjusting a position of the upper surface of the focus ring by driving the focus ring vertically on the basis of the result of measurement by said measurement step; and
  - an etching step of performing etching after finishing said adjustment step.

4. (Withdrawn) The plasma etching method according to claim 3,

wherein said measurement step includes a step of measuring the upper surface of the focus ring at a plurality of points of the focus ring, and

said adjustment step includes a step of adjusting the position of the upper surface of the focus ring at a plurality of points of the focus ring on the basis of the result of measurement by said measurement step.

5. (New) The plasma etching apparatus according to claim 1,

wherein said controller is configured for adjusting the position of said upper surface of said focus ring to maintain constant a length from a surface of said semiconductor substrate to said upper surface of said focus ring.

6. (New) The plasma etching apparatus according to claim 1,

wherein said controller is configured for adjusting the position of said upper surface of said focus ring to maintain constant the uniformity of the etching rate of a surface of said semiconductor substrate.

7. (New) The plasma etching apparatus according to claim 2,

wherein said controller is configured for adjusting the position of said upper surface of said focus ring to maintain constant a length from a surface of said semiconductor substrate to said upper surface of said focus ring at a plurality of locations of said upper surface.

8. (New) The plasma etching apparatus according to claim 2,

wherein said controller is configured for adjusting the position of said upper surface of said focus ring to maintain constant the uniformity of the etching rate of a surface of said semiconductor substrate.